UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 4:15CR00553 JAR
KYLE M. PARKS,	)	
	)	
Defendant.	)	

OBJECTIONS TO PRESENTENCE INVESTIGATION REPORT

Comes now, Joseph M. Hogan counsel for the defendant, Kyle Parks and hereby states his objections to paragraph numbers five (5) through eighteen (18); paragraph twenty-one (21); paragraphs twenty-six (26) through twenty-eight (28); paragraph thirty-one (31); paragraphs thirty-four (34) and thirty-five (35); paragraph thirty-eight (38); paragraphs forty-one (41) and forty-two (42); paragraph forty-five (45); paragraphs fifty-four (54) through fifty-six (56); paragraph fifty-nine (59). In support of defendant's objections counsel states as follows:

1. Paragraph numbers five (5) through eighteen (18) under **THE OFFENSE CONDUCT** explain in detail the Government's version of events that allegedly transpired. Kyle Parks objects to the summary of the offense conduct in its **ENTIRETY** as it contains misstatements of facts, lies and acts of official misconduct and perjury on behalf of multiple law enforcement officers, officials and witnesses.

2. Paragraph number twenty-one (21) under **ADJUSTMENTS FOR OBSTRUCTION OF JUSTICE** incorrectly states that Kyle M. Parks attempted to obstruct justice by having his daughter contact the alleged victims in this case. Mr. Parks stated in a letter to his daughter that the alleged victims should be truthful for once in their lives and admit that they lied on the witness stand and just said whatever the Government wanted them to. The witnesses lied to get themselves out of trouble for being prostitutes and drug addicts. Paragraph number twenty-one (21) also incorrectly states that Kyle M. Parks provided false statements during his testimony. Mr. Parks testified truthfully throughout his testimony.

3. Paragraphs twenty-six (26) through twenty-eight (28); paragraph thirty-one (31); paragraphs thirty-four (34) and thirty-five (35); paragraph thirty-eight (38); paragraphs forty-one (41) and forty-two (42); paragraph forty-five (45); paragraphs fifty-four (54) through fifty-six (56); paragraph fifty-nine (59); paragraph seventy-three (73), under **OFFENSE LEVEL COMPUTATION** incorrectly assessed additional points for USSG

§2G1.3(b)(2)(B) in paragraphs 26, 34, 41 and 54 because Kyle Parks never influenced any minors to engage in prohibited sexual conduct of any sort. Additionally, these points are being erroneously added because the offense conduct listed was an actual element of the crimes he was convicted of and therefore he is being punished twice for the same offense conduct.

Paragraphs 27, 35,42 and 55 incorrectly assessed additional points for USSG §2G1.3(b)(3) for the use of a computer to entice minors to engage in prohibited sexual conduct. Kyle Parks never used a computer or any device to influence any minors to engage in prohibited sexual conduct of any sort. The only persons using computers or other devices to post adds for prohibited sexual acts were the alleged victims who were in fact prostitutes working for themselves.

Paragraph 28, incorrectly assessed additional points for USSG §2G1.3(b)(4)(A) stating the offense conduct of Kyle Parks involved the commission of a sex act or sexual contact when in fact Mr. Parks never engaged in any sexual contact with any of the alleged victims nor did he facilitate anyone to engage in sexual acts of any sort.

Paragraph 31, 38, 45 and 59 incorrectly assessed additional points for USSG §3C1.1 by erroneously stating that Kyle Parks willfully obstructed the administration of justice. Mr. Parks has been entirely truthful throughout these proceedings and the only persons who in fact did obstruct justice were the witnesses against him who provided false testimony.

Respectfully submitted,

/S/ JOSEPH M. HOGAN

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was delivered to:

United States Attorney's Office
111 South 10th Street
St. Louis, Missouri 63102

This 15th day of April 2017.

/S/ JOSEPH M. HOGAN